

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – CT Department – Kakinada Nodal Division – Eluru Division – Smt S.Ramana Kumari, Manager(Gazetted), O/o DC(CT), Eluru – Filed representation requesting for consideration and to pass orders for exemption of two years termination period for declaring her probation period and fixing of her seniority - Re-fixing of date of probation - Orders – Issued.

REVENUE (CT.I) DEPARTMENT

G.O.Rt.No.119.

Dated.23.01.2013.
Read the following

1. CCTs Ref No.DX4/895/2011, dated.26.05.2012.
2. Govt. Memo No.25078/CT.I(1)/2012, dated.29.06.2012.
3. CCTs Ref No.DX4/895/2011, dated.31.07.2012.

ORDER

In the reference 1st read above, the Commissioner of Commercial Taxes has stated that Smt S.Ramana Kumari was appointed as DR ACTO by the APPSC in the year 2001 under SC categorization and allotted to Zone II, she joined in the department on 05.03.2001. On striking down of the SC categorization on 05.11.2004, the above ACTO was terminated from service on 04.03.2005 and in her place one DR ACTO Smt B.Raj Kumari was selected (without categorization) and joined in CT Department. Subsequently, the Hon'ble Supreme Court, in its clarificatory orders dated.25.09.2006, modified its earlier orders/judgments; dated.04.11.2004 to the effect that all appointments made under the Scheduled Caste Categorization Act 20/2000, prior to 04.11.2004 would remain un-affected. Accepting the above clarificatory orders of the Hon'ble Supreme Court the orders of the Govt. Memo No.12554/CT.I(2)/2005, dated.20.12.2006 and the orders of the Hon'ble Tribunal, she was re-instated into service on 04.01.2007. Later-on the break in service in-respect of Smt S.Ramana Kumari from 04.03.2005 to 04.01.2007 was regularized by the Govt. as per rule 17(e)(iii) of APS & SS Rules, 1996 vide Memo No.54478/CT.I(2)/2009, Rev(CT.I) dept., dated.13.05.2011.

2. Further the CCT has reported that the individual, in her representation dated.14.10.2011, requested to put her name in the seniority list of ACTOs for at least two years termination period from 04.03.2005 to 03.01.2007 i.e. gap period by condoning the delay in passing "local Fund Audit: departmental test as a special case taking into consideration the termination orders issued for no fault of her. Explaining the above the CCT has requested the Govt. to consider the request of the individual.

3. Government, after careful examination of the above matter, observe that Smt S.Ramana Kumari was initially appointed as DR ACTO under SC categorization and joined the department on 01.02.2001. On striking down of the SC categorization, she was would ousted from service during the period from 04.03.2005 to 03.01.2007(1 year 10 months). After reinstatement into service the individual has appeared for the last departmental exam i.e. Local Fund Audit Paper.IV on 18.06.2007 and results of the said exam were declared by the APPSC in the month of Mar, 2008. In view of the passing of the departmental exam belatedly by the individual, the DC(CT), Kakinada, in his proceedings dated.02.06.2011, declared the probation of the individual w.e.f.18.06.2007 applying the provisions of rule 16(h) of APS & SS Rules, 1996.

4. The above said individual appeared in the last departmental exam i.e. LF Audit Paprt.IV in the month of June, 2007 and results were published in the month of March, 2008. As per Rule 6 and 7 of the APPSC Dept. Test Rules, for the July, 2006 session of the departmental exams ; the exam has to be conducted in the month of Nov, 2006 and results were to be declared on the last Thursday of Jan, 2007, whereas in this case, the APPSC has issued notification in the month of Feb, 2007 (instead of July, 2006), examination was conducted in the month of June, 2007 (instead of Nov, 2006) and results were published in the month of March, 2008 (instead of last Thursday of Jan, 2007). Had the departmental test for July, 2006 session been conducted on time and the results published on time the individual would have notionally passed the examination on 26.01.2007, i.e. last Thursday of Jan, 2007.

5. In view of the above fact that Govt. has decided to give credit of 1 year 10 months in favour of Smt S.Ramana Kumari, as she was ousted from service during the period from 04.03.2005 to 03.01.2007 (1 year 10 months) on account of striking down of S.C. Categorization which is beyond her control. Also in supersession of the proceedings issued by the DC(CT) Kakinada dated.02.06.2011 it is ordered that the probation of Smt S.Ramana Kumari shall be deemed to have commenced two years anterior to the deemed date of publication of results by the APPSC i.e. 25.03.2003.

6. The Commissioner of Commercial Taxes is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes, Hyderabad.
Copy to the Individual through the CCT, Hyd.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER